

Amendments to Senate Bill No. 92
1st Reading Copy

Requested by Senator Alan Olson

For the Senate Natural Resources Committee

Prepared by Sonja Nowakowski
January 18, 2013 (9:48am)

1. Title, page 1, line 8.

Following: "SOURCES;"

Insert: "STREAMLINING ANNUAL REPORT REQUIREMENTS;"

2. Title, page 1, line 9.

Following: "82-4-227,"

Insert: "82-4-237,"

3. Page 2, line 27.

Strike: "and date"

Strike: "within the county"

Insert: "in the locality of the proposed activity"

4. Page 4, line 16.

Strike: "(2) (m)"

Insert: "(2) (n)"

5. Page 5, line 3.

Strike: "varieties"

Insert: "species"

6. Page 5, line 4.

Strike: "varieties"

Insert: "species"

Strike: "variety"

Insert: "species"

7. Page 5, line 5.

Strike: "kinds and varieties"

Insert: "species"

Following: "plants"

Strike: ", "

Insert: " ; "

8. Page 5, line 6.

Strike: line 6

9. Page 5, following line 9.

Insert: "(m) be certified by a professional engineer or

professional land surveyor licensed as provided by Title 37, chapter 67; and"

10. Page 5, line 10.

Strike: "(m)"

Insert: "(n)"

11. Page 13.

Following: line 19

Insert: "Section 4. Section 82-4-237, MCA, is amended to read:

"82-4-237. **Operator to file annual reports.** (1) An operator shall file an annual report with the department ~~within 30 days of the anniversary date of each permit. In lieu of an annual report for each permit, the department may allow the operator to file an annual report for each operation on a date determined by the department. Included within an~~ An annual report ~~shall be~~ must include:

(a) the name and address of the operator and permit number or numbers; and

(b) a report ~~in such with detail as the~~ required by the department ~~shall require,~~ supplemented with maps, cross sections, or other material indicating the extent to which mining operations have been carried out, the progress of all reclamation work, including the type of planting or seeding, mixture and amount of seed, date of planting or seeding, and area of land planted, ~~the extent to which expectations and predictions made in the original application have been fulfilled and any deviation therefrom, and the number of acres affected, and~~

~~(c) a revised schedule or timetable of operations and reclamation and an estimate of the number of acres to be affected during the next 1-year period.~~

(2) Upon receipt of the annual report, the department may ~~make further inquiry and request further~~ additional information and, ~~if it does so,~~ shall allow a reasonable opportunity for the operator to respond to the request.

(3) When ~~problem situations~~ problems are revealed by review of new information or as a result of field inspections, the department may order ~~such~~ necessary changes in the mining and reclamation plans ~~as are necessary to insure~~ ensure compliance with this part."

{Internal References to 82-4-237: None.}"

Renumber: subsequent sections

- END -

professional land surveyor licensed as provided by Title 37,
chapter 67; and"

10. Page 5, line 10.

Strike: "(m)"

Insert: "(n)"

11. Page 13.

Following: line 19

Insert: "Section 4. Section 82-4-237, MCA, is amended to read:

"82-4-237. **Operator to file annual reports.** (1) An operator shall file an annual report with the department ~~within 30 days of the anniversary date of each permit. In lieu of an annual report for each permit, the department may allow the operator to file an annual report for each operation on a date determined by the department. Included within an~~ An annual report ~~shall be~~ must include:

(a) the name and address of the operator and permit number or numbers; and

(b) a report ~~in such~~ with detail ~~as the required by the department shall require,~~ supplemented with maps, cross sections, or other material indicating the extent to which mining operations have been carried out, the progress of all reclamation work, including the type of planting or seeding, mixture and amount of seed, date of planting or seeding, and area of land planted, ~~the extent to which expectations and predictions made in the original application have been fulfilled and any deviation therefrom, and the number of acres affected; and~~

~~(c) a revised schedule or timetable of operations and reclamation and an estimate of the number of acres to be affected during the next 1-year period.~~

(2) Upon receipt of the annual report, the department may ~~make further inquiry and request further~~ additional information and, ~~if it does so,~~ shall allow a reasonable opportunity for the operator to respond to the request.

(3) When ~~problem situations~~ problems are revealed by review of new information or as a result of field inspections, the department may order ~~such necessary~~ changes in the mining and reclamation plans ~~as are necessary to insure~~ ensure compliance with this part."

{Internal References to 82-4-237: None.}"

Renumber: subsequent sections

- END -